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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,513	11/05/2003	Takatoshi Okagawa	244925US90	5918

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER
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ADHAMI, MOHAMMAD SAJJID

ART UNIT	PAPER NUMBER
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2416

NOTIFICATION DATE	DELIVERY MODE
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08/18/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/700,513	<b>Applicant(s)</b> OKAGAWA ET AL.	
	<b>Examiner</b> MOHAMMAD S. ADHAMI	<b>Art Unit</b> 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- Applicant's RCE filed 6/9/2009 is acknowledged.
- Claims 1-4 have been amended.
- Claims 5-7 are cancelled.
- Claims 1-4 are pending.
- Applicant's response and amendment with respect to the rejection of claims 1-4 under 35 USC 112 2<sup>nd</sup> paragraph is noted and the rejection is withdrawn.

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/9/2009 has been entered.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tirosh (US App. 2003/0141093) in view of Neves (US App. 2006/0276209).

**Re claims 1-4:**

Tirosh discloses *a source router connected to a terminal, configured to receive data addressed to a destination terminal transmitted from the terminal* (Fig.1 ref. 200a is a terminal, ref.100a is a source router, and ref.200e is a destination terminal).

Tirosh further discloses *a destination router connected to the destination terminal and configured to receive the data transmitted from the source router and send the data to the destination terminal* (Fig.1 ref.100 is a destination router).

Tirosh further discloses *a specific router including an accounting function, a monitoring function, or a media converting function* (Para.[0033] The link measurement module may monitor the quality of each link and Fig.3 ref.113).

Tirosh further discloses *the specific router connected to the source router and the destination router and configured to forward data packets from the source router to the destination router* (Fig.1 ref.100b,100c, or 100d can be a specific router).

Tirosh further discloses *a router controller receiving a predetermined trigger* (Fig.1 ref.400 and Para.[0038-0040] sending a trigger when a fault is detected).

Tirosh further discloses *a router controller configured to determine the specific router based on topology information of a plurality of routers controlled by the routing controller and a routing path of the data addressed to the destination terminal, when the trigger receives the predetermined trigger*

(Para.[0011] A network manager unit may dynamically update the dynamic router such that the set of possible output path is changed and Para.[0021] providing information for routing and Para.[0026]).

Tirosh further discloses *an address information provision requester configured to request the specific router determined by the router controller to provide address information corresponding to the specific router* (Para.[0021] may instruct the dynamic routers where to route data traffic and Para.[0026] A dynamic router may force the packet to be forwarded to the stream's final destination by placing on the packet the IP address of the next-hop dynamic router. A path is first opened by telling all dynamic routers on the path their downstream dynamic router and associating with the path a unique label which is advertised to the dynamic routers on the path and Para.[0033] the various controllers may be responsible for communication and specific activities related to their controller entities).

Tirosh further discloses *requesting the source router to create information to convert a destination address to the routed address* (Para.[0021] may instruct the dynamic routers where to route data traffic and Para.[0026] a path is first opened by telling all dynamic routers on the path their downstream dynamic

router and associating with the path a unique label which is advertised to the dynamic routers on the path and Para.[0033] the various controllers may be responsible for communication and specific activities related to their controller entities).

Tirosh further discloses *requesting the specific router to create information to convert the provided address to the routed address* (Para.[0011] a network management unit may dynamically update the dynamic router such that the set of possible output paths is changed).

Tirosh further discloses *a specific router providing the corresponding address* (Para.[0026] telling all dynamic routers on the path their downstream dynamic router).

Tirosh further discloses *a specific and source router creating and managing the address information and converting the address* (Para.[0021] may instruct the dynamic routers where to route data traffic and Para.[0026] a path is first opened by telling all dynamic routers on the path their downstream dynamic router and associating with the path a unique label which is advertised to the dynamic routers on the path and Para.[0033] the various controllers may be responsible for communication and specific activities related to their controller entities).

Tirosh further discloses *routing based on the converted address* (Para.[0026] forwarding a packet to a router).

Tirosh does not explicitly disclose *a mobile station*.

Neves discloses *a mobile station* (Para.[0045] cellular phones).

Tirosh and Neves are analogous because they both pertain to data communication.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Tirosh to include a mobile station as taught by Neves in order to use a wireless network and provide mobility.

### ***Response to Arguments***

3. Applicant's arguments filed 6/9/2009 have been fully considered but they are not persuasive.

In the remarks, Applicant contends Tirosh does not disclose a first address converter configured to convert the destination address of the data received from the source router into the address of the destination mobile station based on the first address conversion information.

The Examiner respectfully disagrees. Tirosh does disclose a first address converter configured to convert the destination address of the data received from the source router into the address of the destination mobile station based on the first address conversion information (Para.[0021] may instruct the dynamic routers where to route data traffic and Para.[0026] A dynamic router may force the packet to be forwarded to the stream's final destination by placing on the packet the IP address of the next-hop dynamic router. A path is first opened by telling all dynamic routers on the path their downstream dynamic router and

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associating with the path a unique label which is advertised to the dynamic routers on the path and Para.[0033] the various controllers may be responsible for communication and specific activities related to their controller entities). The IP address of the desired destination is placed on the packet. When a packet is first sent from the source to the dynamic router, it is given the IP address of the dynamic router. When the dynamic router sends the packet to the destination, the IP is changed ("converted") to the IP address of the desired destination. Changing the IP address of the packet to send it to its destination, reads on the limitation of converting the destination address of the data received from the source router into the address of the destination mobile station.

In the remarks, Applicant contends Tirosh does not disclose a specific router that includes an accounting function, a monitoring function, or a media converting function.

The Examiner respectfully disagrees. Tirosh does disclose a specific router that includes an accounting function, a monitoring function, or a media converting function (Para.[0033] The link measurement module may monitor the quality of each link and Fig.3 ref.113).



***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD S. ADHAMI whose telephone number is (571)272-8615. The examiner can normally be reached on Monday-Friday 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571)272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mohammad S Adhami/  
Examiner, Art Unit 2416

/Chi H Pham/  
Supervisory Patent Examiner, Art  
Unit 2416